

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF NEW YORK
CENTRAL ISLIP DIVISION**

IN RE: ADA IN FLIGHT CATERING CORP.

CHAPTER 11
Debtor CASE NO. 8-10-76387-ast

MOTION TO WITHDRAW

COMES NOW THE ATTORNEY FOR DEBTOR: Jeannette M. Weiss, Esq., as counsel, who moves this Court to “Withdraw as Attorney” after conference with opposing Counsel, stating that there is *no opposition*.

1. On August 13th, 2010 the Debtor filed an “Emergency Petition” for Chapter 11 in the Eastern District of New York.
2. The 341 Meeting of the Creditors has not been closed nor has the Initial Debtor Interview been completed.

3. The Debtor informed Counsel that Mr. David Cohen, Esquire was considering representation in the case and Mr. Cohen has contacted Mr. Yang of the US Trustees office in that regard.
4. On October 28th, 2010 a “*Motion to Convert to a Chapter 7 or in the Alternative to Dismiss*” was filed By Mr. Stan Yang of the US Trustee’s Office and after conference is Unopposed by Debtor’s Counsel.
5. The Debtor was subpoenaed by Mr. Stan Yang of the US Trustee’s Office and failed to appear. Prior to his failure to appear, on the advice of Mr. David Cohen Esq., Mr. Shah ignored Counsel and communicated directly with the Court. Counsel directed Mr. Shah to obey the subpoena and was ignored.
6. It now appears that the Debtor may have been less than truthful with regard to actual ownership of the company. The Debtor, Mr. Darshan Shah informed Counsel and Counsel’s office that he was the owner and President of ADA In-flight Catering Corp. Amongst

other things, Mr. Shah supplied photo identification listing his address in New York, and signed a fee agreement in which he represented that he was the owner of ADA In-Flight Catering Corp. The veracity of these statements and documents Mr. Shah gave counsel has now been called into question by the testimony of Mr. Alan Grossman.¹

7. Further Mr. Shah has informed Counsel that their services are not longer required and Mr. Shah will be retaining new counsel Mr. David Cohen Esq. Mr. Cohen informed Mr. Stan Yang, Ms. Jeannette Weiss, and the Honorable Judge Trust via teleconference that he intended to take over Mr. Shah's legal representation.
8. The Debtor and current Counsel have diametrically opposed views of the case since shortly after its inception, and there is little likelihood of a successful continuing relationship.

¹ See testimony of Alan Grossman January 20, 2011.

WHEREFORE PREMISES CONSIDERED: the Attorney prays that this unopposed “*Motion to Withdraw*” be granted along with any other relief this court might find just.

Respectfully Submitted

Jeannette M. Weiss, Esq.

Attorney for Debtor

[S/ Jeannette M. Weiss](#)

Jeannette M. Weiss, Esquire

CERTIFICATE OF SERVICE

I, JEANNETTE M. WEISS HEREBY CERTIFY: that I have caused to be served this 23rd day of January, 2011 via Notice of Electronic Filing, a true and correct copy of the foregoing to all parties concerned. Further, a clear and conformed copy of this motion was placed this 23rd day of January, 2011 in the U.S. Postal Service receptacle First Class Postage prepaid addressed to the following:

Mr. Stan Yang (notified via ECF)
Trial Attorney
United States Trustee Office
560 Federal Plaza
Central Islip, NY
631-715-7800

Rita J. Gaglani (notified via US Mail)
310 East 49th street
Apartment 9F
New York, NY 10017
212-223-8414

S/Jeannette M. Weiss
Jeannette M. Weiss